M.R.O. 1—89,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 791 Press ~~Mis.~~

184-188A

Dated 22.5.1863 ~~19~~ .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
22nd May 1863.

Read the following papers:—

No. 184. From E. B. FOORD, Esq., Acting Magistrate of Kistna District; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Masulipatam, 12th December 1862, No. 551.

1. With reference to Proceedings of Government, Judicial Department, dated 21st June 1862, No. 952, I have the honor to state, for the information of Government, that the orders requiring all wells to be walled round, are strictly enforced in this District; and cases of neglect punished in accordance with the provisions of the Code of Criminal Procedure.

2. This information should have been supplied long ago; but it has only been this day brought to my notice that it was delayed, pending a reference on the subject to the Talook authorities.

No. 185. From A. PURVIS, Esq., Magistrate; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Ambajipeta, 16th March 1863, No. 91.

With reference to paragraph 2 of the Order of Government of the 21st June last, No. 952 requesting me to report whether the orders which require all wells in use to be walled round, are strictly enforced, I have the honor to report that the orders in question have generally been acted upon in this District. In cases where the wall or railings have fallen out of repair, they have been restored.

2. I must apologize for the long delay which has taken place in replying to the order of Government, but I was anxious to ascertain, after inquiry throughout the District, that the orders under reference had not been disregarded.

No. 186. From CHARLES W. READE, Esq., Magistrate of South Arcot; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Cuddalore, 29th April 1863, No. 19.

I am reminded by a Memorandum under the signature of the Acting Deputy Secretary of the Orders of Government, No. 952 of the 21st June 1862.

2. These orders reached my office when I was absent on leave, and on my return instructions were sent to the heads of Taluqs calling for a statement showing how far previous orders requiring all wells to be walled round had been properly enforced.

3. No acknowledgments from the District Officers having been received, it was only very recently that they were again directed to report and as well to explain the cause of their hitherto delay.

4. In the absence of the detailed information from the Tahsildars, I am not in a position to report definitely on the matter, but from my own observations when travelling through the District, I am able to state that in the streets and thoroughfares of all the towns and all large villages which I visited, the wells were invariably protected by a wall or hedge sufficient to guard against all accident. I do not however fancy that any great heed is given to the subject in the smaller villages and in those situated at a distance from any highway; but it is not in my power to say how this is, until the returns called for have reached me.

No. 187. From J. FRASER, Esq., Acting Magistrate of North Arcot; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Palamaner, 2nd May 1863, No. 5.

I have the honor with reference to paragraph 2 of the Order of Government, dated 21st June 1862, No. 952, to report that the orders which require all wells to be walled round are strictly enforced in this District.

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the Inspector
General of Mofussil Police

Magistrate of —

Proceedings of the Madras Government, Judicial Department,
22nd May 1863.

No. 188. From J. W. B. DYKES, Esq., Magistrate of Nellore; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Nellore, 12th May 1863, No. 10.

I have the honor to acknowledge the receipt of Proceedings of the Madras Government, under date the 21st June 1862, No. 952, and of the reminder, dated 25th ultimo, No. 89, calling for report from certain Districts, where the number of suicides reported in 1861, was larger than the number in the previous year 1860; the District of Nellore being one, whether the orders which require all wells to be walled round are strictly enforced in those Districts.

2. In reply to this requisition, which was received during my absence on leave, and has, I regret, been since overlooked, I have the honor to state, that the rule that all wells should be fenced in, has been enforced from time to time by fine, where found not attended to, but I regret I cannot add that the results of such action have been satisfactory.

3. Such walls as are put up on such occasions are rapidly destroyed by the weather. And over a large tract of country, there must be public opinion and a strong feeling in favor of the measure, to secure success in a matter like that under report.

4. And, in fact, I believe I should be within the mark, if I state that it is not in one case in a hundred, where a body is found in a well, that the body came there for want of a wall.

5. As a rule, when death has ensued from want of a wall there will be marks of violence on the body; the body in falling would come in contact with some of the sides of the well. But the Police reports show clearly, on the contrary, that in nine cases out of ten, there are no marks of violence at all on the body. And the fact is that death in many of these cases, has been the result, either of slipping off time worn steps under water, or, of fits from standing too long in the water, and the blood in consequence rushing to the head.

6. Where murder has been committed, and those on the inquest fear to speak out, there of course there are marks of violence that are concealed. But where the death has been accidental for want of a wall no such cause for concealment exists. And, whether as regards the cases where marks of violence did exist and were concealed, or the very numerous cases where Native women from the little regard they have for life deliberatly commit suicide, in all these cases it is obvious that walls, if they had been there, would not have been of much use.

7. The Procedure Code strengthens the hands of the Magistracy, however, considerably in respect to taking proper order for the public safety in such matters. And I trust before long the wells in public places will be better protected.

No. 188A. ORDER THEREON, 22nd May 1863, No. 791.

Ordered that the foregoing letters be recorded.

2. The opinion of the Government Pleader and that expressed by Government in their Order of the 7th August last, No. 1,258, will be communicated to all Magistrates, as well as to the Inspector General of Mofussil Police,

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the followings letters.

From Sr: Magistrate. Kistna Distt. (Dated 12th Decr: 1862 N°551)
From Magistrate. Godavery -"- (—"— 15th Mar: 1863 -"- 91)
From —"— South Arcot (—"— 29th Apl —"— -"- 19)
From Sr —"— North -"- — (—"— 2nd May -"- -"- 5)
From —"— Nellore — (—"— 12 -"- —"— -"- 10)

Order - 22nd May 1863 N°. 791.

Ordered that the foregoing letters be recorded.

2 The opinion of the Govt: Pleader & that expressed by Govt: in their Order of the 7th August last. N°1258, will be communicated to all Magistrates, as well as to the Inspector General of Mofussil Police

To Magistrate of —
Inspector Genl: Mofussil Police
Dated 26th

List of 22 June

Jud L 1863. Department.

No. 791

PROCEEDINGS OF GOVERNMENT.

Dated 22 May 1863

Record, with certain observations, the replies submitted by certain Magistrates to the enquiry made as to whether Tanks & wells are walled round in their Districts.

Jud Bd
Pro No. 137-38
21-6-62

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